IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATIION NO.1385 OF 2006

IN

FIRST APPEAL STAMP NO.24272 OF 2005

The State of Maharashtra & Ors. .. Appellants

V/s.

Shalik Manjarya Patil .. Respondent

Asstt.Govt.Pleader for the appellant.

CORAM : S. B. DESHMUKH, J

DATED : 04/10/2006

P.C.

Heard the learned A.G.P. for the appellant. None appears for the respondent despite due service. By this application, condonation of about 110 days delay is sought in filing of First Appeal in this Court.

Delay occurred is explained in C.A.. In para.No.1, various dates, commencing from the date of judgement of the reference Court dt.22/03/2005 are given. In para.4, the procedure required to be executed for filing of F.A. is narrated. According to the appellants, delay occurred is

procedural as explained in Paras 4 & 5 of the C.A.

Despite due service, none appeared for the respondent, neither any reply has filed nor any affidavit contraverting the statements made in paras 4 & 5 of the C.A. In this view of the matter, statements made in paras 4 & 5 are acceptable to me. I am satisfied that delay is properly explained and bonafide. In the circumstances, delay of 110 days caused in filing of the appeal in this Court is condoned. Civil Application is allowed and disposed off accordingly.

(S. B. DESHMUKH, J)